

**REMARKS**

Claim 24 has been amended. No claims have been cancelled or added. Hence, Claims 24 - 31 are pending in the Application.

**SUMMARY OF REJECTIONS/OBJECTIONS**

Claims 24 – 31 are rejected under 35 USC 112, second paragraph, as being as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 24 – 31 are rejected under 35 USC 101 because the claimed invention is directed to non-statutory subject matter.

Claims 24 – 28 are rejected under 35 USC 102(b) as being anticipated by Lazaridis. (U.S. Patent No. 5,802,312)

Claims 29 – 31 are rejected under 35 USC 103(a) as being unpatentable over Lazaridis in view of Gutman. (U.S. Patent No. 5,737,390)

**REJECTIONS BASED ON 35 USC 112**

Claims 24 – 31 are rejected under 35 USC 112 because the Office Action alleges that claim 24 recites the unified exchange manager accepting a message and then cites beginning execution, which is inconsistent with the unified exchange manager already having begun execution. Claim 24, both before and after amendment do not require that a exchange manager is beginning execution, in the way that has been alleged. Therefore, the basis of the rejection is invalid. Reconsideration and removal of the rejection is respectfully requested.

**REJECTIONS BASED ON 101**

Claims 24 – 31 are rejected under 35 USC 101 because the claimed invention is directed to non-statutory subject matter. The recitation of "a software product carrying

code" does not limit the code to a computer-readable medium that would give the claimed invention a tangible embodiment. Claim 24 has been amended to a software product that stores code. A software product that stores code is tangible. Therefore, claims 24 – 31 are limited to tangible embodiments.

## **REJECTIONS BASED ON PRIOR ART**

### **Claim 24**

Claim 24 requires, *inter alia*, a "unified exchange manager selecting the appropriate application based on a **data type** of the message information." (emphasis added). Claim 24 also requires "passing said message information from said unified exchange manager to the appropriate application program." This way of selecting an application to which to transmit the message information, where the selection is based on the data type of the message information, is a feature not suggested much less disclosed by the cited art.

The Office Action rejects claim 24 based on Lazaridis. The rejection is based on, *inter alia*, correlations drawn between the message information claims and files that are received and subsequently processed by applications in the system of Lazaridis. Assuming the correlation is valid, Lazaridis nevertheless fails to disclose the above highlighted feature. Applicant has thoroughly reviewed the application and has not found any suggestion or disclosure of selecting an application to which to pass or otherwise provide a received file based on the data type of the received file.

The Office Action cites a section in Lazaridis as disclosing the feature of selecting an application based on the message type. The section contains only one passage regarding how received files are processed:

*When the invention receives a file, it is stored temporarily in Pending Files (205) until it is completely received without error. The entire file is moved from Pending Files (205) to Inbound Files (204). Files in Inbound Files (204) are processed and deleted by the applications accessing such files. (Col. 36 – 40)*

The above passage describes that files are moved to another directory once the files are completely received, where the files are processed and deleted by applications. It does not follow from this description that applications are selected based on the data type of the received file.

Based on the foregoing, claim 24 is patentable. Reconsideration and allowance of claim 24 is respectfully requested.

### **Remaining Dependant Claims**

The pending claims not discussed so far are dependant claims that depend on an independent claim that is discussed above. Because each of the dependant claims include the limitations of claims upon which they depend, the dependant claims are patentable for at least those reasons the claims upon which the dependant claims depend are patentable.

Removal of the rejections with respect to the dependant claims and allowance of the dependant claims is respectfully requested. In addition, the dependent claims introduce additional limitations that independently render them patentable. Due to the fundamental difference already identified, a separate discussion of those limitations is not included at this time.

For the reasons set forth above, Applicant respectfully submits that all pending claims are patentable over the art of record, including the art cited but not applied.

Accordingly, allowance of all claims is hereby respectfully solicited.

The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application.

Respectfully submitted,

HICKMAN PALERMO TRUONG & BECKER LLP



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Marcel K. Bingham  
Reg. No. 42,327

2055 Gateway Place, Suite 550  
San Jose, CA 95110  
Telephone No.: (408) 414-1080 ext.206  
Facsimile No.: (408) 414-1076

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on April 19, 2007 by Trudy Bagdon